



United States  
Department of  
Agriculture

Forest  
Service

Superior  
National  
Forest

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File Code: 2580-2

Date: October 14, 2009

Mr. Terry L. O'Clair, P.E.  
Director, Division of Air Quality  
North Dakota Department of Health  
918 E. Divide Ave.  
Bismarck, ND 58501-1947

Dear Mr. O'Clair:

On August 26, 2009, the State of North Dakota submitted a draft implementation plan describing your proposal to improve air quality regional haze impacts at mandatory Class I areas across your region. We appreciate the opportunity to work closely with the State through the initial evaluation, development, and, now, subsequent review of this plan. Cooperative efforts such as these ensure that together we will continue to make progress toward the Clean Air Act's goal of natural visibility conditions at our Class I wilderness areas and parks.

This letter acknowledges that the U.S. Department of Agriculture Forest Service has received and conducted a substantive review of your proposed Regional Haze Rule implementation plan. Please note, however, that only the U.S. Environmental Protection Agency (EPA) can make a final determination about the document's completeness, and therefore, only the EPA has the ability to approve the document. Participation by the Forest Service in the State of North Dakota's administrative process does not waive any legal defenses or sovereignty rights it may have under the laws of the United States, including the Clean Air Act and its implementing regulations.

As outlined in a letter to North Dakota dated September 19, 2006, our review focused on eight basic content areas. The content areas reflect priorities for the Federal Land Manager agencies, and we have attached comments to this letter associated with these priorities. We look forward to your response required by 40 CFR 51.308(i)(3). For further information, please contact Eastern Region Air Resource Specialist Trent Wickman at (218) 626-4372 or Northern Region Air Resource Specialist Thomas Dzomba at (406) 329-3672.

Again, we appreciate the opportunity to work closely with the State of North Dakota. The Forest Service compliments you on your hard work and dedication to significant improvement in our nation's air quality values and visibility.

Sincerely,

/s/ Mark Hummel  
MARK HUMMEL  
Deputy Forest Supervisor

cc: Charles E Sams  
Thomas C Dzomba



Amy Platt  
Don Shepherd  
Bruce Polkowsky  
Tim Allen